

REMARKS

The Office Action mailed on December 30, 2008, has been reviewed and the comments of the Patent and Trademark Office have been considered. Prior to this paper, claims 1-19 were pending, with claims 4-19 being withdrawn from prosecution. By this paper, Applicant adds claims 20-24, and cancels withdrawn claims 17-19, without prejudice or disclaimer. Therefore, claims 1-16 and 20-24 are now pending.

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim Objections

Claim 3 is objected to. In response, in order to advance prosecution, and without prejudice or disclaimer, Applicant hereby amends claim 3, and requests reconsideration.

Rejections Under 35 U.S.C. § 103

Claims 1-3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hein (U.S. Patent Application Publication No. 2002/0100243) in view of Schmieder (U.S. Patent No. 6,391,470). In response, Applicant amends claim 1, in order to advance prosecution, and without prejudice or disclaimer, and respectfully submits that the claims are allowable for at least the reasons that follow.

Claim 1 recites, with reference to the exemplary embodiment disclosed in the figures, a steering support structure, where *a central portion 7 is integrally formed* with a stay 5 for supporting the central portion 7 onto a floor panel, and *the driver seat side portion 6 is integrally formed* with a column fitting portion 12 to which a steering column is fitted. In an exemplary embodiment, the stay 5, which supports the central portion 7 of the first member 8 onto the floor panel without using a connecting member, is integrally formed with the first member 8 of the steering support member body 3 with which the column fitting portion 12 is integrally formed without using a connecting member.

Neither Hein nor Schmieder discloses or suggests all of the features of claim 1, at least as amended. Hein discloses a T-shaped transverse beam (10), asserted in the Office Action as corresponding to the steering support member body, which includes a support arm (12) serving as support for a vehicle tunnel, a drive-side support arm (14), asserted in the Office Action as corresponding to the driver seat side portion, a support arm for a passenger side (16), asserted in the Office Action as corresponding to a front passenger seat side portion, and a middle node (20), asserted in the Office Action as corresponding to the connecting portion of claim 2, for connecting these support arms. However, according to Hein, *the support arm (12) projecting out of the vehicle tunnel is connected to the middle node (20) by a bolt or the like, and is connected to the driver-side support arm (14), which is asserted in the Office Action as corresponding to the driver seat side portion, via the middle node (20).*

Schmieder does not remedy this deficiency of Hein. Schmieder discloses a cross beam (10), which has a first profiled portion (12) - passenger seat side portion - and a second profiled portion (14) - driver side portion. In Schmieder, however, *center mounts (20, 22) for attachment to a center console of a vehicle are provided in the first profiled portion (12) - passenger seat side portion - connected via a connecting portion to the second profiled portion (14) - driver side portion - provided with mounts (28, 30) for attachment of a part of the steering device.* Schmieder does not teach or suggest that the mounts (28, 30) for attachment of a part of the steering device and the center mounts (20, 22) for attachment to the center console of the vehicle are integrally formed with the second profiled portion (14) (driver side portion) and the first profiled portion (12) (passenger side portion), respectively.

The recited features of the claims are not just mere design differences between the claimed inventions and Hein and Schmieder. Instead, they present an inventive leap over the prior art, as in the claimed devices, most of the vibration energy of a steering column and a steering wheel reaches the steering support member body (3) via the column fitting portion (12) without being absorbed by a connecting member on the way of transmission, and then effectively reaches the floor panel. Thereby, the deflection of the steering support member body (3) can be prevented. In stark contrast, in Hein, because the support arm (12) is connected to the driver-side support arm (14) via the middle node (20), the vibration energy

of a steering wheel utilized in the device of Hein, for example, does not effectively reach the floor panel of the vehicle via the support arm (12) from the driver-side support arm (14), and is absorbed by the middle node (20). The middle node (20) is thereby overloaded, and the load repeatedly acts on the middle node (20). As a result, the entire T-shaped transverse beam (10) is deflected.

Schmieder has drawbacks as well in this regard, as the vibration energy of a steering wheel in Schmieder does not effectively reach the floor panel of the vehicle via the center mount (20, 22) from the mounts (28, 29) for a steering device, and a part of the vibration energy of the steering wheel is absorbed by the connecting section between the second profiled portion (14) and the first profiled portion (12). Thereby, the connecting portion between the second profiled portion (14) and the first profiled portion (12) is overloaded, and the load repeatedly acts on the connecting portion or the like. As a result, the enter crossbeam (10) is deflected.

In sum, claim 1 is not obvious in view of the cited references, and, therefore, none of the rejected claims are obvious, as claims 2 and 3 depend directly from claim 1.

Allowance of the application is requested.

Rejoinder of Claims 4-16

Claims 4-16 stand withdrawn. Applicant notes that claims 4-11 depend either directly or ultimately from claim 1. Applicant respectfully requests that these claims be rejoined and allowed due to their dependency from claim 1, a claim that is allowable. Applicant respectfully submits that no significant burden is placed on the PTO by rejoining and examining these claims. Indeed, such action is concomitant with the indication that “upon allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.”

Claims 12-16 should also be rejoined and allowed, as no significant burden is placed on the PTO in rejoining and examining these claims.

New Claims

Applicant has added new claims 20-24. All of these claims ultimately depend from claim 1, a claim that, as detailed above, is allowable, and, therefore, these claims should be allowed. Further, these claims further distinguish the claimed inventions from the cited references, and are allowable for this additional reason.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Examiner Freedman is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date

4/27/2009

By



FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 295-4747

Facsimile: (202) 672-5399

Martin J. Cosenza

Attorney for Applicant

Registration No. 48,892